

IMPORTANT NOTICE TO APPLICANT:
Make check for the total Processing Fee Payable to: Board of County Commissioners.

FOR OFFICIAL USE ONLY:

FEES:

Number of Sites : (2)
P.W.W.M. _____ \$1,872.0
Plus \$10.90 per site in excess of 6 sites _____ \$0.0
P.E.R.A. _____ \$210.00
PRINT \$2,082.0

Agenda Date: 7-20-12
Tentative No.: T- 23291-1-NEW
Received Date: 7-10-12

Concurrency Review Fee (*6.00% of Sub-Total) -- \$124.9 *Not applicable within Municipalities
AMOUNT FOR TENTATIVE OUTSIDE MUNICIPALITIES=> \$2,206.9 <==AMOUNT FOR TENTATIVE WITHIN UNINCORPORATED MIAMI-DADE COUNTY

APPLICATION FOR PLAT OF SUBDIVISION DEVELOPMENT

Municipality: MIAMI Sec.: 3 Twp.: 5 S. Rge.: 4 E. / Sec.: _____ Twp.: _____ S. Rge.: _____ E.

1. Name of Proposed Subdivision: GARDEN PARK ON THE BAY

2. Owner's Name: City of Miami, a municipal corporation Phone: 305-250-5300
Address: 3500 Pan American Drive. City: Miami State: FL Zip Code: 33133
Owner's Email Address: _____

3. Surveyor's Name: BISCAYNE ENGINEERING COMPANY, INC Phone: 305-324-7671
Address: 529 WEST FLAGLER STREET City: MIAMI State: FL Zip Code: 33130
Surveyor's Email Address: MikeB@Biscayneengineering.com

4. Folio No(s): 01-3230-014-0150, 0170 / 01-3230-017-0010, 0020 / 01-3230-017-0030, 0040 / 01-3230-017-0410, 0420

5. Legal Description of Parent Tract: See attached Opinion of Title

6. Street boundaries: NE 29th St. to NE 27th St. Alley. and Biscayne Bay and 375 West thereof.

7. Present Zoning: T6-36A-L Zoning Hearing No.: N/A

8. Proposed use of Property:
Single Family Res.(_____ Units), Duplex(_____ Units), Apartments(296 Units), Industrial/Warehouse(_____ Square .Ft.),
Business(_____ Sq. Ft.), Office(_____ Sq. Ft.), Restaurant(_____ Sq. Ft. & No. Seats _____), Other (_____ Sq. Ft. & No. of Units _____)

NOTE: List all plat restrictions zoning conditions or any other declaration, restriction, condition etc. that might affect this Tentative Plat.

I HEREBY CERTIFY that I am the owner of the parcel(s) described in Item 5 and that the information contained in this application is true and correct to the best of my knowledge and belief. Attached is a copy of the recorded deed showing my acquisition of this land. In addition, I agree to furnish additional items as may be necessary such as abstract or opinion of title to determine accurate ownership information.

Furthermore, I am aware that the use of a public water supply and/or public sewer system may be required for this development. If so required, I recognize that engineering drawings for the extension of these utilities must be approved by the appropriate utility entity and by P.E.R.A. prior to the approval of the final plat.

Pursuant to Florida Statutes 837.06, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her duty shall be guilty of a misdemeanor of the second degree, punishable as provided in FS. 775.082 or FS. 775.083.

STATE OF FLORIDA)

SS:

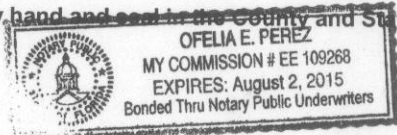
Signature of Owner: [Signature]

COUNTY OF MIAMI-DADE)

(Print name & Title here): Johnny Martinez, City Manager

BEFORE ME, personally appeared Johnny Martinez this 31 day of May, 2012 A.D. and (he/she) acknowledged to and before me that (he/she) executed the same for the purposed therein. Personally known ☒ or produce as identification and who did (not) take an oath.

WITNESS my hand and seal in the County and State last aforesaid this 31 day of May, 2012 A.D.



Signature of Notary Public: [Signature]

(Print, Type name here: _____)

(NOTARY SEAL)

(Commission Expires)

(Commission Number)

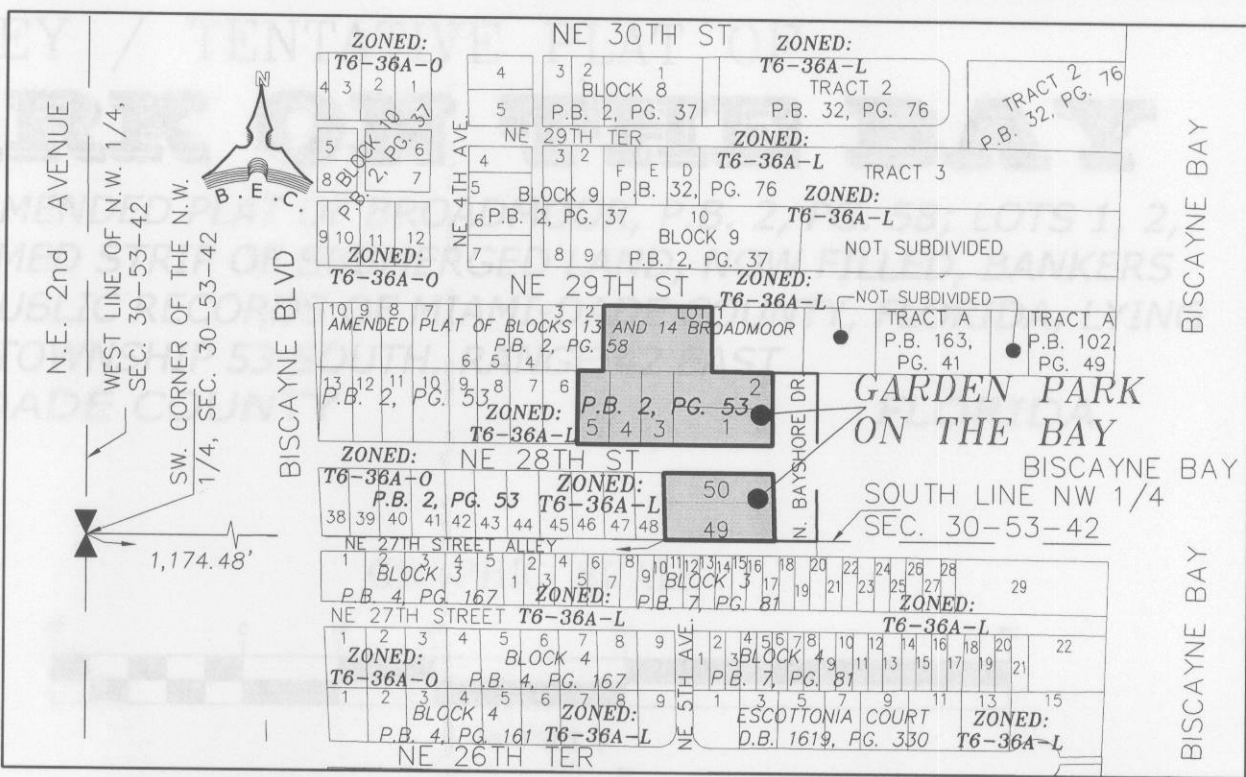
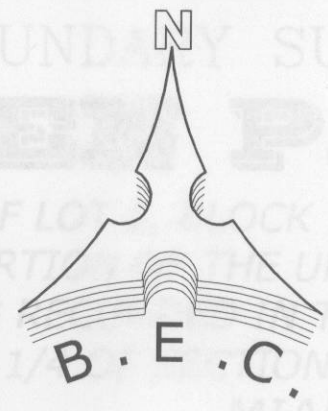
Note: The reverse side of this sheet may be used for a statement of additional items you may wish considered.

TENTATIVE PLAT T-23291-5-EXT.
GARDEN PARK OF THE BAY
SEC. 30, TWP. 53 S, RGE. 42 E DISTRICT 3
ZONING: T6-36A-L CITY OF MIAMI

BOUNDARY SURVEY / TENTATIVE PLAT OF

GARDEN PARK ON THE BAY

A REPLAT OF THE WEST 170' OF LOT 1, BLOCK 14, AMENDED PLAT OF BROADMOOR, P.B. 2, PG. 58; LOTS 1, 2, 3, 4, 5, 49 AND 50, AND A PORTION OF THE UN-NAMED STRIP OF SUBMERGED LAND, NOW FILLED, BANKERS PARK, P.B. 2, PG. 53, ALL BEING RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING IN THE NW 1/4 OF SECTION 30, TOWNSHIP 53 SOUTH, RANGE 42 EAST
CITY OF MIAMI MIAMI-DADE COUNTY FLORIDA



LOCATION MAP
IN THE NW 1/4 OF SECTION 30, TOWNSHIP 53 SOUTH, RANGE 42 EAST
CITY OF MIAMI, MIAMI-DADE COUNTY, FL.
SCALE 1"=300'

| P.B.-PG. | PLAT NAME |
|----------|---|
| 2-37 | BROADMOOR |
| 2-53 | BANKERS PARK |
| 2-58 | AMENDED PLAT BLOCKS 13 AND 14 BROADMOOR |
| 4-161 | AMENDED PLAT OF ESCOTONIA PARK |
| 4-167 | GOLDCOURT |
| 7-81 | J. PACKARD LAIRD'S RESUBDIVISION |
| 32-76 | REVISED PLAT BROADMOOR PLAZA |
| 102-49 | MARBELLA SUBDIVISION |
| 163-49 | MOON BAY |

LEGAL DESCRIPTION: (AS PROVIDED BY CLIENT)

Parcel A:

The East 50 feet of the West 100 feet of Lot 1, Block 14, AMENDED PLAT OF BLOCKS 13 AND 14 OF BROADMOOR, according to the Plat thereof, as recorded in Plat Book 2, Page 58, of the Public Records of Miami-Dade County, Florida.

Parcel B:

The East 70 feet of the West 170 feet of Lot 1, Block 14, AMENDED PLAT OF BLOCKS 13 AND 14 OF BROADMOOR, according to the Plat thereof, as recorded in Plat Book 2, Page 58, of the Public Records of Miami-Dade County, Florida.

Parcel C:

The West 50 feet of the West 100 feet of Lot 1, Block 14, of AMENDED PLAT OF BLOCKS 13 AND 14, OF BROADMOOR, according to the Plat thereof, as recorded in Plat Book 2, Page 58 of the Public Records of Miami-Dade County, Florida.

AND

Lots 1, 2, 3, 4, 5, 49 and 50, of BANKERS PARK, according to the Plat thereof as recorded in Plat Book 2, Page 53, of the Public Records of Miami-Dade County, Florida.

AND

A portion of the un-named strip of submerged land, now filled, being a portion of BANKERS PARK, according to the Plat thereof as recorded in Plat Book 2, at Page 53, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the point of intersection of the north line of said Plat Book 2 at Page 53, with the Mean High Water line of Biscayne Bay located on 05-04-2012, and approved by the Florida Department of Environmental Protection on 04-24-2012, Date of Filing 05-15-2012, File Number 5010, thence South 00°02'04" East, along said Mean High Water line, for a distance of 30.00 feet to the point of intersection with the Right-of-Way line of the un-named North-South road shown on said BANKERS PARK Plat (now known as North Bayshore Drive) and also the Point of Beginning of the parcel of land hereinafter described; thence continue South 00°02'04" East along said along said Mean High Water line, for a distance of 203.18 feet to the point of intersection with said Right-of-Way line, said point being at 30.00 feet north from the south line of the NW 1/4 of the fractional Section 30, Township 53 South, Range 42 East; thence along said Right-of-Way line for the following for the following three (3) courses: (1) thence South 89°59'07" West, for a distance of 29.36 feet; (2) thence North 00°00'00" West, for a distance of 203.08 feet; (3) thence North 89°54'23" East, for a distance of 29.24 feet to the Point of Beginning.

EXPRESS PURPOSE:

AN EXPRESS PURPOSE OF THIS PLAT IS TO CLOSE, VACATE AND ABANDON FROM FURTHER PUBLIC USE THE PUBLIC RIGHTS OF WAY AS CONTAINED WITHIN THE BOUNDARIES OF THIS PLAT.

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| <p>- Folia Numbers: 01-3230-014-0150, 01-3230-014-0170, 01-3230-014-0180, 01-3230-017-0010, 01-3230-017-0020, 01-3230-017-0030, 01-3230-017-0040, 01-3230-017-0410, 01-3230-017-0410.</p> <p>- Owners:</p> <p>i) PSH NE 28 ST, a Florida limited liability company.</p> <p>ii) City of Miami.</p> <p>- Development Contact Info: Andrew D. Conner, PSM, Biscayne Engineering Co., 529 West Flagler Street, Miami, Florida 33130. Phone: 305-324-7671 Ext. 230. ACONNER@BISCAYNEENGINEERING.COM</p> <p>- Site is Zoned: T6-36A-L T6 The Urban Core Zone. Based on Internet Website Query beginning at http://www.miami21.org/. Zoning is shown per Miami 21 Zoning Ordinance.</p> <p>- The Miami-Dade County Flood Criteria is 5 feet, as shown on the Amended Plat of Flood Criteria Map, according to the Plat thereof recorded in Plat Book 120, at Page 13-2, of the Public Records of Miami-Dade County, Florida.</p> <p>- Lands shown hereon are located in Federal Flood Zone "AE" elevation 10 and "AE" elevation 9, per FIRM Maps Number 12086C0312 and 12086C0316, Suffix L, Community Name: City of Miami, Community Number: 120650, Revised: September 11, 2009.</p> <p>- The Vertical Limits of the Proposed Pedestrian Access 3D Easement shown hereon will have a lower elevation of 10.00 feet± NGVD1929 and an upper elevation of 26.00 feet± NGVD1929, the intention being to have a clearance of 16' from existing grade to the bottom of the slab elevation of the overhead building being proposed.</p> <p>- The Vertical Limits of the Proposed 29 foot wide Ingress/Egress 3D Easement shown hereon will have a lower elevation of 10.00 feet± NGVD1929 and an upper elevation of 37.33 feet± NGVD1929, the intention being to have a clearance of 27.33' from existing grade to the bottom of the slab elevation of the overhead bridge connecting the proposed parking garage to the proposed building.</p> <p>- Building columns and fire escapes will be permitted within the Ingress/Egress 3D Easements shown hereon.</p> <p>- Ingress and Egress from NE 27th Street Alley south to NE 27th Street will be provided by separate instrument and is not shown hereon as it is not a part of this plat.</p> <p>- All lot owners of the BANKERS PARK Subdivision (Plat Book 2, Page 53) shall have the right to access and use of the Bay Front.</p> <p>PROPOSED NUMBER OF LOTS OR TRACTS: 2</p> <p>Gross Area = 2.15 acres</p> <p>Area of Right of way to be dedicated = 0.02 acres.</p> <p>Proposed Tract "A" Area= 65,804 square feet or 1.51 acres more or less.</p> <p>Proposed Tract "B" Area= 26,797 square feet or 0.62 acres more or less.</p> <p>- DEVELOPMENT INFORMATION / PROPOSED USE:</p> <p>Tract "A": 300 Apartment Units, no public commercial space. No other uses; retail, office or restaurant.</p> <p>Tract "B": Public Park</p> |
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SURVEYOR'S CERTIFICATE:

I hereby certify that the attached "BOUNDARY AND TOPOGRAPHIC SURVEY" was prepared under my responsible charge, in accordance with the standards of practice for Surveying and Mapping as described in Chapter 472.027, Florida Statutes and Minimum Technical Standards for Surveys, as described in Chapter 5J-17, Florida Administrative Code, as set forth by the Florida Board of Professional Surveyors and Mappers.

Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.

Biscayne Engineering Company, Inc.
529 West Flagler Street, Miami, FL 33130
(305) 324-7671
State of Florida Department of Agriculture
LB-0000129

Survey Date: 04-28-2015

Wolfgang A. Huck
Wolfgang A. Huck, PSM, For the Firm
Professional Surveyor and Mapper No. 6519
State of Florida

MDC T-PLAT
NO. T-23291

TENTATIVE PLAT
NO. T-1789

BISCAYNE ENGINEERING COMPANY, INC.
Consulting Engineers
Planners
Surveyors
MIAMI
529 WEST FLAGLER STREET
FLORIDA 33130
PHONE: (305) 324-7671
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E-MAIL: info@biscayneengineering.com
WEB SITE: www.biscayneengineering.com
FAX: (305) 324-7670
E-MAIL: info@biscayneengineering.com

GARDEN PARK ON THE BAY
MIAMI, FL 33137
FOR THE RELATED GROUP
DATE: 04-28-15 DESIGNED BY: W.H.
DATE: 04-28-15 APPROVED BY: W.H.

ORDER NO.
03-84479
SHEET NO.
1 of 2

Zoning: T6-36A-L (SOURCE: <http://www.miami21.org/>)

| | |
|-----------------------|---|
| FLR | 12 x Net Lot Area with a possible 40% additional upon demonstration of public benefit |
| Open Space/Green Area | 10% of the lot area |
| Density (du/ac) | 150/units per acre |
| Setbacks | Front(s) - 10 ft.; 20 ft. above the 8th Story Side - 0 ft.; 30 ft. above 8th Story Rear - 0 ft.; 30 ft. above 8th Story |
| Lot Coverage | 1-8 Stories - 80% Maximum Above 8th Story - 18,000 S.F. maximum floorplate for residential and lodging, 30,000 S.F. maximum floorplate for office and commercial |
| Height | 36 stories with an additional 24 stories upon compliance with the public benefit section XI above, for a total of 60 stories |
| Parking | Minimum of 1.5 parking spaces for every dwelling unit. In addition, 1 space for every 10 dwelling units for visitors. |

Subject to the following matters of record as designated in Schedule B Section II, Exceptions of Chicago Title Insurance Company, Commitment for Title Insurance Order No. 4518921, Customer Reference: 122017024860, Effective Date: October 30, 2013 at 8:00 PM, Revised: 11/13/2013.

4. Easements and dedication of Withom Street and the right to use the bayfront as shown on the Plat of Bankers Park, as recorded in Plat Book 2, at Page 53. There is a statement on the plat that the "each lot owner is guaranteed the right to use the Bay Front". Withom Ave. is now known as NE 28th Street and is the apparent mode of ingress and egress from the "Bay Front". NE 28th Street was dedicated solely to the owners of the abutting lots, as described above, however statements from city officials in the Public Works Department indicate that the City of Miami has maintained the road longer than 7 years, making NE 28th Street a Public Street based on the Statute of Limitations.

5. Terms, covenants, conditions and restrictions created by and set forth in the Covenant To Run With The Land recorded June 28, 2005 in Official Records Book 23520, Page 3775. Affects Parcel 1 of the subject property but is blanket in nature.

6. Terms, covenants, conditions and restrictions created by and set forth in the Declaration of Restrictive Covenants in Lieu of Unity of Title recorded September 20, 2008 in Official Records Book 24928, Page 3812. This instrument affects the Parcel 2 of the subject property but is blanket in nature.

7. Terms and provisions of that certain Agreement for Water and Sanitary Sewage Facilities between Miami-Dade County and PRH NE 28th Street LLC recorded November 20, 2012 in Official Records Book 28365, Page 4496. Affects the subject property but is blanket in nature.

8. Terms, covenants, conditions and restrictions created by and set forth in the Declaration of Restrictive Covenants in Lieu of Unity of Title recorded November 20, 2012 in Official Records Book 28365, Page 4606. Affects the subject property but is blanket in nature.

9. Terms, covenants, conditions and restrictions created by and set forth in the Declaration of Restrictive Covenants in Lieu of Unity of Title recorded January 3, 2013 in Official Records Book 28427, Page 2455. Affects the subject property, the un-named strip of submerged land, now filled and the abutting right of ways but is blanket in nature.

10. Terms and provisions of that certain Hold Harmless and Indemnification Agreement recorded February 13, 2013 in Official Records book 28488, Page 1365. Affects the subject property, the un-named strip of submerged land, now filled and the abutting right of ways but is blanket in nature.

11. INTENTIONALLY DELETED

12. Terms, conditions, covenants, restrictions, easements, and other provisions, including provisions which provide for a private charge or assessment (deleting therefrom any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin), easements, master agreements, reservations, leases, rules, bylaws, and other provisions which may be contained in and established by the Declaration of Condominium of ICONBAY, A CONDOMINIUM, recorded on November 6, 2012, in Official Records Book 28346, Page 3432. Affects the subject property. Legal description on the Declaration of Iconbay, a Condominium does not agree with the diagram of the boundary of Iconbay shown in the same Declaration. See the diagram of the of the legal description for Iconbay shown below in scale 1"=100'. Other plottable matters of the Declaration of Iconbay, a Condominium are not plotted hereon, they are schematic.

13. INTENTIONALLY DELETED

14. INTENTIONALLY DELETED

15. INTENTIONALLY DELETED

16. Terms and provisions of that certain Resolution No 12-0289 dated July 26, 2012 by the City of Miami City Commission vacating and abandoning those portions of Bayshore Drive and NE 28th Street, as recorded September 17, 2013 in Official Records Book 28825, Page 3248. Affects the subject property but is blanket in nature. See below.

17. INTENTIONALLY DELETED

18. The nature, extent or existence of riparian rights is not insured.

19. Any and all rights of the United States of America over artificially filled lands in what were formerly navigable waters, arising by reason of the United States of America's control over navigable waters in the interest of navigation and commerce.

20. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.

21. Any rights, interests or claims arising from the following matters shown on the survey prepared by Biscayne Engineering Company, Inc., dated September 30, 2013, known as Order No. 03-83445:

a. Chain link fence encroaches over easterly line of the West 170 feet of Lot 1, Block 14, over the westerly line of Lot 2, and into the vacated right of way of North Bayshore Drive.

b. Multistory building under construction lies partially outside of the insured land and within the vacated right of way of N.E. 28th Street. The coverage of the ALTA 9-06 Endorsement attached to this policy is not applicable to this part of this Exception.

c. Concrete slab with crane crosses over southerly line of Lot 1 into vacated right of way of N.E. 28th Street.

d. Chain link fence along southerly line of Lot 49 crosses over easterly property line into vacated right of way of North Bayshore Drive.

e. Overhead power lines and related poles along the west line of Lot 49 without benefit of recorded easement.

f. Neighbor's chain link fence encroaches over the westerly line of Lots 49 and 50.

g. Chain link fence and gate southerly of the zoned northerly right of way line in Lots 3, 4 and 5.

NOTE: All recording references in this commitment/policy shall refer to the public records of Miami-Dade County, Florida, unless otherwise noted.

PROPOSED NUMBER OF LOTS OR TRACTS: 2

Gross Area = 2.15 acres. Area of Right of way to be dedicated = 0.02 acres. Proposed Tract "A" Area= 65,804 square feet or 1.51 acres more or less. Proposed Tract "B" Area= 26,797 square feet or 0.61 acres more or less.

- DEVELOPMENT INFORMATION / PROPOSED USE:

Tract "A": 300 Apartment Units, no public commercial space. No other uses; retail, office or restaurant.

Tract "B": Public Park

- Site is Zoned: T6-36A-L T6 The Urban Core Zone. Based on Internet Website Query beginning at <http://www.miami21.org/>. Zoning is shown per Miami 21 Zoning Ordinance.

Although not a consideration in the preparation of this survey, it is our understanding that the Subject Property is the subject of a condominium (ICON BAY, A CONDOMINIUM, as recorded in Official Records Book 28346, at Page 3432, of the Public Records of Miami-Dade County, Florida). This fact should be considered when evaluating this survey.

